

Appl.No.: 09/820,152
Amendment dated December 28, 2004
Response to Office Action mailed September 28, 2004

REMARKS/ARGUMENTS

Claims 1-9 are pending in the application; reexamination and reconsideration are hereby requested.

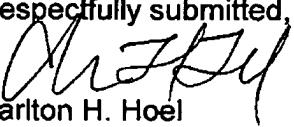
Claims 1-9 were rejected as anticipated by Fattouche. The Examiner pointed to column 9, lines 48-68 regarding the calibration factor of claim 1.

With regard to claim 1, applicants reply that Fattouche column 9, lines 56-61 notes that the predistorter presume the channel is reciprocal and uses the upstream channel estimate as an estimate for the downstream. In contrast, claim 1 requires a calibration factor calculated from both an upstream channel estimate and received information of a downstream channel estimate. Fattouche has no suggestion of the calibration factor of claim 1; rather, Fattouche presumes a reciprocal channel. The same analysis of Fattouche applies to independent claims 8-9.

With regard to the dependent claims, applicants reply on the patentability of the parent claim. Consequently, the claims are patentable over the references.

The amendments overcome the indefiniteness rejection of claim 9.

Respectfully submitted,



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